

2/23/15 – An issue arose between the parties regarding defendant's compliance with this Magistrate Judge's Ruling on Plaintiffs' Motion to Compel Production of Documents, filed 1/6/15 (Dkt. #127), for which counsel provided a letter to this Magistrate Judge's Chambers on February 12, 2015 and a telephonic conference was held the next day. (Dkt. #140).

As discussed in the joint letter (at 2-3) and during this conference, defendant has provided plaintiffs with an Excel spreadsheet with 11,933 rows of data for 5,969 of the potential class members, with multiple entries, for which each member was assigned a random number. Plaintiffs argue that the voluminous anonymized data is not helpful in their efforts to match up opt-in plaintiffs and prospective opt-in plaintiffs who contact them with the various data entries in the Excel spreadsheet. Plaintiffs assert that their ability to do so will assist plaintiffs, defendant, and the Court when plaintiffs file their Motion for Conditional Class Certification, so that they can narrow the formal job titles, job codes, job families, job disciplines, job levels, organization units, and salary grades, as appropriately as possible. Thus, plaintiffs request that the potential class members be identified by their employee ID numbers, which employees "usually know[.]" (Id.). Defendant objects to the disclosure of employee ID numbers, out of concern that if plaintiffs share that information with others, then plaintiffs could be able to generate a list of employee names and addresses (id.); plaintiffs, however, have assured defendant and the Court that they will not do so, and are willing to abide by appropriate restrictions, such as attorney's eyes only, except when an individual inquires about himself or herself. (Id.).

As suggested by the Court during the telephonic conference, defendant shall respond by providing a supplemental Excel spreadsheet, on which each of the 5,969 potential class members is identified by the last two to four digits of his or her employee ID number,¹ as well as the first initial of his or her first name and first initial of his or her last name. Thus, when a potential class member contacts counsel, counsel should be able to locate that individual on the Excel spreadsheet, and should be able to inquire as to the information counsel deems necessary in order to file plaintiffs' Motion for Conditional Class Certification. However, plaintiffs' counsel will not be able to extrapolate a complete list of employee names and addresses from this information, as feared by defendant, and plaintiffs' counsel have represented to defense counsel and to the Court that they will not do so.

¹During the conference, counsel were not certain of the specific number of digits in an employee ID number. The Magistrate Judge is hopeful that counsel can agree on their own as to whether the last two, last three, or last four digits is preferable.